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8 Attorney for Plaintiff
9 Peter Austin-Small
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12 UNITED STATES DISTRICT COURT
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14 NORTHERN DISTRICT OF CALIFORNIA
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16 SAN FRANCISCO DIVISION
17
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19 PETER AUSTIN-SMALL,

CASE NO: 3:06-cv-6343 SI

20 Plaintiff,

21 vs.
22
23 RULE 41 DISMISSAL OF PLAINTIFF'S
24 ACTION WITH PREJUDICE
25
26

27 BRINKER INTERNATIONAL PAYROLL
28 COMPANY, L.P., and DOES 1 through 100,
inclusive,

Defendants.

29
30 Plaintiff PETER AUSTIN-SMALL, by his attorney, and defendant BRINKER
31 INTERNATIONAL PAYROLL COMPANY, L.P., by its attorney, and pursuant to Rule 41(a) of the
32 Federal Rules of Civil Procedure, stipulate as follows:

- 33
34 1. Plaintiff and Defendant hereby stipulate to the dismissal of this action, with prejudice;
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36 2. Each party shall bear his or its own attorneys' fees and costs;
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38 3. This stipulation is entered into pursuant to a settlement entered into by the parties.

1 Dated: January 5, 2007

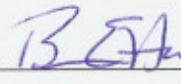
LITTLER MENDELSON, P.C.

2 By 
3 Brian T. McMillan

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5 Attorneys for Defendant
6 BRINKER INTERNATIONAL PAYROLL
7 COMPANY, L.P.
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Dated: January 11, 2007

LAW OFFICES OF BRIAN E. HAWES

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10 By 
11 Brian E. Hawes

12 Attorneys for Plaintiff
13 PETER AUSTIN-SMALL
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